

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 28, 2005

DIVISION ONE

B175182 Masafumi Miyamoto (Not for Publication)
 v.
 Deutz AG et al.

The judgment is affirmed. Respondents are entitled to their costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Suzukawa, J. (Assigned)

B173522 Davies (Certified for Publication)
 v.
 Cameron et al.

The safe harbor order allowing Patricia Davies to file her objections to the trustee's petition for instructions is affirmed, and the cause is remanded to the probate court with directions to modify its order to limit the objections to those discussed in Part C of the legal discussion of this opinion. The parties are to pay their own costs of this appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Suzukawa, J. (Assigned)

B173598 People
 v.
 Robles

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION TWO

B180960 In re Annis on Habeas Corpus

Filed order modifying opinion and certifying opinion for publication.

DIVISION THREE

B171718 People (Not for Publication)
v.
Singleton

The judgment is modified by striking the Penal Code section 1202.45 restitution fine and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B176285 People (Not for Publication)
v.
Byron

The ruling granting Byron's motion to vacate the judgment is reversed, and the case is remanded to the trial court with instructions to reinstate the judgment and sentence.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B170486 People
v.
Washington, et al.

Filed order modifying opinion. (No change in the judgment)

March 28, 2005 (Continued)

DIVISION THREE (Continued)

B169333 Honey (Not for Publication)
v.
Schaumann, et al.

We affirm the order granting the motion to quash service of the 2002 OSC, the judgment of dismissal of the subsequent civil action, and the attorney fee order. Respondents are awarded their costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B174477 People (Not for Publication)
v.
Coronel

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B175093 Mariscal (Not for Publication)
v.
Employee Relations Board of the City of Los Angeles et al.

The judgment is affirmed. Petitioner shall bear his own costs.

Hastings, Acting P.J.

We concur: Curry, J.
Grimes, J. (Assigned)

March 28, 2005 (Continued)

DIVISION FOUR (Continued)

B173406 People (Not for Publication)
v.
Sandoval

The cause is remanded for resentencing in accordance with the views expressed in this opinion and in all other respects the judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

[illegible]

The condition in the order that appellant refrain from associating with anyone disapproved by his parents or probation officer is modified to provide that appellant is to refrain from associating with anyone known by appellant to be disapproved by his parents or probation officer. The conditions that he stay away from places where users of narcotics, controlled substances, etc. congregate and that he not remain in the presence of persons unlawfully armed are modified to provide that appellant is to stay away from places he knows to be where users congregate and that he not remain in the presence of persons he knows to be unlawfully armed. Additionally, the handwritten note in the minute order of August 1, 2003 that appellant maintain “‘C’ or better in every course” is stricken. In all other respects, the order of wardship is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

March 28, 2005 (Continued)

DIVISION FOUR (Continued)

B176765 People (Not for Publication)
V .

Haddock

The judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.
Curry, J.

B162751 Artisan Entertainment, Inc.
v.
Claudio Castravelli, Inc.

Filed order denying petition for rehearing.

DIVISION FIVE

B174296 People (Not for Publication)
v.
Harold Kessee

The judgment is affirmed.

Kriegler, J. (Assigned)

We concur: Turner, P.J.
 Armstrong, J.

B174547 Los Angeles County, D.C.S.
v.
Tova B.
In re: Joseph B.

Filed order vacating submission order of December 7, 2004. The parties have 21 days to submit additional briefs. Cause to be resubmitted within 20 days.

March 28, 2005 (Continued)

DIVISION FIVE (Continued)

B178492 People (Not for Publication)

$$\mathbf{V}_i$$

Ramon Mayorquin

The judgment is affirmed.

Kriegler, J. (Assigned)

We concur: Turner, P.J.

Mosk, J.

DIVISION SEVEN

B176246 Hicks (Not for Publication)

V.

Hicks

The trial court's order terminating Steve Hick's spousal support obligation as well as the court's jurisdiction over spousal support is reversed. Melody Hicks is to recover her costs on appeal.

Perluss, P.J.

We concur: Johnson, J.

Zelon, J.

B173595 People

V.

Johnson

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

March 28, 2005 (Continued)

DIVISION EIGHT

B170558 People (Certified for Publication)
v.
Martinez

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B174534 People (Not for Publication)
v.
Acuna

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B174854 Robert Keyghobad (Not for Publication)
v.
Home Box Office, Inc., et al.,

The order is affirmed. Plaintiff is to recover his costs on appeal.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.